



Health Services
LOS ANGELES COUNTY

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John F. Schunhoff, Ph.D.
Interim Director

Robert G. Splawn, M.D.
Interim Chief Medical Officer

313 N. Figueroa Street, Suite 912
Los Angeles, CA 90012

Tel: (213) 240-8101
Fax: (213) 481-0503

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August 7, 2008

TO: Each Supervisor

FROM: John F. Schunhoff, Ph.D. 
Interim Director

SUBJECT: **PUBLIC RECORDS ACT RESPONSE**

As requested, this is to provide you with information concerning the response to the Public Records Act (PRA) request from Garrett Therolf, *Los Angeles Times* reporter, e-mailed to Chief Executive Officer William T Fujioka and me on July 17, 2008.

Leela Kapur, Chief Deputy County Counsel, and I spoke with Mr. Therolf and *Times* attorney Al Wickers yesterday. We agreed to provide Mr. Therolf with copies of the attachments provided to you with my July 11, 2008 memo, with all identifying information fully redacted. Department staff is in the process of completing this redaction. After that, we will have Counsel verify it, and expect to provide the information to Mr. Therolf early next week. Other than these redacted documents, we have not agreed to provide any further documents to Mr. Therolf. However, we did agree to follow up on some points of discussion. We will keep you informed should that follow up result in us determining to disclose additional documents.

In the meantime, you asked for answers to the questions contained in Mr. Therolf's e-mail. The questions and answers are as follows:

--Were the employees suspended with or without pay?

Employees whose Livescan results are being reviewed for possible discipline are on administrative leave with pay. The Department of Health Services Human Resources Performance Management, with assistance from the Department of Human Resources, is working to resolve these cases quickly. We did not provide this information to Mr. Therolf.

--Who were the county employees in charge of collecting the Livescan information?

--Through what chain of command did the criminal history information pass from the time it was received by the county and the time it was transmitted to the Board of Supervisors on or about Friday, July 11, 2008?

These two questions are part of the review being performed by the Auditor-Controller, per the Board's approval of Supervisor Yaroslavsky's motion on July 22, 2008. Given that he was aware of the motion, we advised Mr. Therolf that these issues are part of the Auditor-Controller's review and, thus, we do not yet have the specific information that he has requested. However, we agreed to check if there were any public documents which are responsive to the question such as facility or departmental policies related to the processing of Livescan information.

--We would like to inspect the "confidential memo" referenced in Mr. Schunhoff's July 11, 2008 memo to county supervisors that was to be "delivered to your board under separate cover early Monday morning, including a spreadsheet showing other individuals with disciplinary actions." If the memo or spreadsheet includes information protected under personnel exemptions, we would be happy to discuss excluding some material from this request.

As described above, redacted copies of the memo and attachments to the July 11 memo are being prepared.

--Why was this information not revealed in Schunhoff's memo to county supervisors on July 11?

The July 11, 2008 memo was specifically in response to the July 8, 2008 motion by Supervisor Antonovich, amended by Supervisor Molina, concerning discipline records at MLK. That week, I learned of the failure to follow through on the results of 17 of the Livescan reports and I called each of your offices with that information on July 11. However, the July 11 memo was not related to the Livescan issues.

I will provide you an update once we have completed the redaction of information requested by the *LA Times*.

JFS:ol

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors
Acting Auditor-Controller